

## REMARKS

### Amendments to the claims:

Claims 1, 9 and 17 have been amended as indicated above. Support for the amendments can be found in the original claims 4 and 12. Claims 2-4 and 10-12 have been cancelled (without prejudice) as being redundant in view of the amendments to claims 1 and 9. No new matter has been added to the application or the claims by way of the amendments.

### Preliminary remarks:

This amendment is "After Final." The Applicants acknowledge that "After Final" practice is typically used to place claims in order for allowance based on some formality (e.g., placing allowed dependent claims in independent form). However, in the current instance the Applicants wish to present one simple argument that the claims (as amended above) should be allowed because the primary referenced used to reject the claims (JP Pat. App. Pub. No. 05211655 - Noguchi) does **not** show one of the claim limitations. Specifically, Noguchi does not disclose "scene profiles" (as defined by the Applicants' specification). More particularly, Noguchi does **not** describe *any kind* of "profiles" that are distinct from "illumination profiles", *and that are used in combination with* the "illumination profiles", all as required by the Applicants' amended claims. The Applicants believe that it will take minimal effort on the part of the Examiner to verify this assertion on the part of the Applicants, and pray that the Examiner will invest the small time needed to check this matter, all in hopes of avoiding future time and expense on the parts of the client, the Office, and the Examiner.

### Rejection of claims 1-19 under 35 USC § 103

Claims 1-4, 7-12, and 15-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Application Publication No. 05211655 (Noguchi Koichi); and claims 5, 6, 13, 14 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Application Publication No. 05211655 (Noguchi Koichi) in light of U.S. Pat. No. 5,086,314 ("Aoki"). It is noted that the rejection of claims 1-4, 7-12, and 15-17 includes each and every of the independent claims (being claims 1, 9 and 17). Accordingly, if the Applicants can demonstrate that claims 1, 9 and 17 (as amended above) are patentable over the prior art, then all of (remaining) claims 1, 5-9 and 13-19 should be allowable.

Claim 1 has been amended as indicated above. Specifically, claim 1 now includes the following salient limitations (which are taken from claim 4):

A digital camera comprising:

...

a plurality of predetermined **scene profiles** *and* a plurality of predetermined **illumination profiles** stored in the camera; and

firmware that runs on the processing circuitry that processes geographic location and time data entered into the camera to automatically select an optimal one of the scene profiles and an optimal one of the illumination profiles based upon the geographic location and time data ...

(Emphasis added.)

Claims 9 and 17 have been similarly amended.

As indicated above, support for these amendments can be found in original claims 4 and 12. The examiner has rejected claims 4 and 12 as being like a combination of claims 2 and 3 (in the case of claim 4), or like a combination of claims 10 and 11 (in the case of claim 12). With respect to claims 2 and 10, the Examiner states:

Regarding **claims 2 and 10**, Noguchi discloses:

the plurality of profiles comprise a plurality of scene profiles (different tables are used depending on different countries; see page 4, line 43, through page 5, line 1).

With respect to claims 4 and 11, the Examiner states:

Regarding **claims 3 and 11**, Noguchi discloses:

the plurality of profiles comprise a plurality of illumination source profiles (since the sun's current position affects the white balance, values in the table are selected based on the current time; see page 3, lines 26-31, and page 5, lines 6-9).

The Applicants believe that Noguchi does generally describe a feature akin to the Applicants' "illumination source profiles." Specifically, Para. [0013] of Noguchi states:

[0013] The correction value table 22 outputs white balance setting location amendment data according to the select signal from time information and the information storage section 31 inputted from the total time-of-day circuit 20, and the amendment data is the amendment signals CR and CB of an analog by D/A converters 23 and 24. It is changed. These amendment signals

That is, Noguchi's "correction value table 22" appears to be similar to the Applicants' "illumination source profiles."

**However**, the Applicants contend that Noguchi does **not** describe *anything* akin to Applicants' "scene profiles". The Examiner argues that Noguchi discloses "scene profiles" because Noguchi describes that "different tables are used depending on different countries". However, these "different tables" are the "correction value table(s) 22" - i.e., *the same tables as generally correspond to the Applicants' "illumination source profiles"* - they are **not** something different (and, more so, are **not** akin to Applicants' "scene profiles").

Furthermore, the Applicants' specification defines "scene profiles" as follows:

The scene profiles define different predetermined exposure and scene type or profile settings for the camera 10, for example. **Typical scene profiles include portrait, macro, and sports mode, for example.**

[Page 4, lines 26-29; emphasis added.]

By comparison, Noguchi provides **no** discussion of *any* kind of "profiles" that are related to such things as "portrait, macro, and sports mode[s]". Further, Noguchi provides **no** discussion that any kind of such "scene profiles" are used *in combination with* Noguchi's "correction value table 22" (i.e., an "illumination source profile" or its equivalent), as is *required by all* of the Applicants' claims (as currently amended).

Accordingly, because Applicants' claims 1, 5-9 and 13-19 all contain a limitation that is neither taught nor suggested by the prior art, there is no way that these claims can be anticipated by, nor obvious in light of, the cited references.

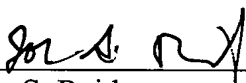
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### SUMMARY

The Applicants contend that claims 1, 5-9 and 13-19 are now in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (509) 534 5789.

Respectfully submitted,

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